

made to prevent a division of said water and consequent excessive loss if a part of the stream only is taken for power purposes and the balance of the stream permitted to flow down the river channel.

If compliance with this provision requires enlargement of any part of the Old City Canal or its laterals in order that the entire amount of water aforesaid may be returned to the river, such enlargement shall be made by said Beaver Milling and Power Company or/and Beaver Woolen Mills at its or their own expense.

VIII.

It is further ordered, adjudged and decreed that all the rights declared and decreed herein are founded upon appropriation of water necessary for some beneficial use, and all such rights are subject in their exercise to the condition that they are required and necessary for beneficial uses and all such rights are expressly subject to the limitations and conditions that all of such water is used for some beneficial purpose and is used economically, without waste, and with due care, and is reasonably and fairly necessary for such use.

IX.

That all the rights declared and decreed herein, are awarded for the beneficial uses specified, and none of the parties hereto, or their successors in interest, whether heirs, executors, administrators, successors or assigns, shall divert any of the waters of said Beaver River System, or any of its tributaries, except for beneficial use, and whenever such use has ceased such party or parties shall cease to divert, and have no right to divert the said waters, or any part thereof, and each and all of the parties hereto, their servants, attorneys, employees and successors in interest, as aforesaid, are forever enjoined and restrained from any and all inter-